

29 OCTOBER 1946

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Of
WITNESSES

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I N D E X
Of
EXHIBITS

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1 Tuesday, 29 October, 1946

2 - - -

3 INTERNATIONAL MILITARY TRIBUNAL
4 FOR THE FAR EAST
5 Court House of the Tribunal
6 War Ministry Building
7 Tokyo, Japan

8 The Tribunal met, pursuant to adjournment,
9 at 0930.

10 - - -

11 Appearances:

12 For the Tribunal, same as before, with the
13 exception of the HONORABLE R. B. PAL, Member from
14 India, not sitting.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before.

17 The Accused:

18 All present except OKAWA, Shumie and
19 MATSUI, Iwane who are represented by their
20 respective counsel.

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23 (English to Japanese and Japanese
24 to English interpretation was made by the
25 Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Our attention has been
4 drawn recently to statements in the newspapers pub-
5 lished in Tokyo purporting to indicate what will be
6 the course of the evidence at this trial.

7 Whether any counsel before this Tribunal is
8 personally responsible for those publications, we are
9 unable to say. But we would like to remind counsel,
10 whether for the prosecution or for the defense, that
11 they should not endeavor to forecast what will be
12 the course of the evidence. In all the circumstances
13 that is highly undesirable.

14 We hope to read no more of these forecasts
15 in the Stars & Stripes and the Nippon Times or in
16 any other paper published in Japan.

17 Mr. Logan.

18 MR. LOGAN: If the Tribunal please, the
19 Russian prosecution staff have requested me to ask
20 permission of the Tribunal to have the witness
21 P. F. Tereshkin returned to Russia, and the defense
22 has no objection to him doing so, on the usual terms.

23 THE PRESIDENT: He may leave the jurisdiction
24 on the usual terms.
25

LIEBERT

CROSS

1 J O H N G R A N V I L L E L I E B E R T, called
2 as a witness on behalf of the prosecution,
3 resumed the stand and testified as follows:

4 CROSS-EXAMINATION (Continued)

5 BY MR. LOGAN:

6 Q Mr. Liebert, in your statement that you
7 prepared you stated the source of some of your facts
8 and figures with respect to electric power, crude
9 oil, steel, aluminum, and machine tools. Can you
10 tell us whether or not all the other facts and fig-
11 ures with respect to raw materials were obtained by
12 you from the official files of some branch of the
13 Japanese Government?

14 A Yes, from official sources of the Japanese
15 Government and from control association files where
16 this information has been compiled in its exacting
17 nature.

18 Q You also stated, Mr. Liebert, on the first
19 day you were on the stand, that you obtained statis-
20 tics and information from sources not only within
21 Japan but outside of Japan. Now, can you tell us
22 what sources you used and what facts and figures you
23 presented in this statement which you received from
24 sources outside Japan?
25

A For comparative purposes, certain trade

LIEBERT

CROSS

1 statistics which were files of the United States
2 Government or publications of the United States Govern-
3 ment; and in the matter of propositions of this nature
4 like the machine tools purchased by Japanese Army
5 arsenals, that particular information was taken from
6 the Research Project, the confidential report of the
7 United States Department of Justice on Japanese
8 arsenals, and in return that report in the United
9 States was made up by investigation of specific plants
10 selling machine tools to Japan on a survey report.

11 Q Were they based on estimates with respect to
12 machine tools?

13 A No, on specific orders showing delivery dates
14 and destinations.

15 Q Well, the total of that survey would be
16 based on an estimate, wouldn't it?

17 A No, sir, on specific orders shipped.

18 Q Well, if they didn't compile the figures,
19 all the figures for any one particular year, especially
20 the earlier years, it would then be an estimate,
21 wouldn't it?

22 A No estimate was made as to the amount of
23 machine tools sold before 1937. After 1937, the figures
24 are exact, showing the name of the arsenal to which
25 the tools were shipped and the amount in dollars and

LIEBERT

CROSS

1 cents.

2 Q Am I to understand, Mr. Liebert, with respect
3 to your figures and facts on coal and all the products
4 you have listed under chemical industry, and the coke
5 and coke oven by-products and iron ore, pig iron, and
6 light and non-ferrous metals with the exception of
7 aluminum, were obtained from documents which you saw
8 and obtained from some agency of the Japanese Govern-
9 ment?

10 A That is correct. The figures for aluminum
11 production were taken from the Light Metal Control
12 Association report and the Minister of Finance. For
13 iron and steel, they were taken from the Ministry of
14 Commerce and Industry and the Iron and Steel Council.
15 The figures on coke oven by-products were taken from
16 the Minister of Commerce and Industry and the Coke
17 and Coke Oven By-products Control Association, et
18 cetera.

19 THE PRESIDENT: I had a discussion yesterday
20 with Major Moore, the head of the Language Section,
21 and as a result of that I decided to stress three
22 points: We should all speak into the microphone,
23 speak slowly, and speak in short sentences if possible.

24 Q Did you take any facts and figures from the
25 Japan Year Book?

LIEBERT

CROSS

1 A The only figures from the Japan Year Book
2 which I have quoted, to the best of my recollection,
3 before the Tribunal were those regarding statistics
4 on rates of exchange and population. I have, Mr.
5 Attorney, attempted to use the most authoritative
6 sources for all information which I have quoted.

7 As you no doubt know, certain of the recapitu-
8 lations which were made in the statement prepared
9 have never before appeared in print because dis-
10 closures of some of these figures were forbidden by
11 law.

12 Q Mr. Liebert, in your investigation I assume
13 that you have examined hundreds of documents and
14 reports and memoranda with respect to these figures
15 which you have assembled here. Is that correct?

16 A I have examined many, many documents.

17 Q And you discarded, I presume, or disregarded
18 some of these documents because, in your opinion, they
19 were not material to the presentation of the facts
20 as you saw them; is that correct?

21 A Some were discarded because they were not
22 material, others because they were inaccurate, for
23 many reasons. I made a selection of documents on the
24 basis of those demonstrative of the truth of the point
25 which I wished to show.

LIEBERT

CROSS

1 Q Did you discard or disregard any which would
2 have in any manner changed the figures, the tables or
3 charts which appear in your statement?

4 A You mean, did I alter these figures to over-
5 emphasize war production or the point I wished to
6 establish?

7 Q No. What I mean, Mr. Liebert, is, did you
8 have, for example, two sets of figures with respect
9 to any one of these raw materials and just accept one
10 and discard the other?

11 A I used those figures which demonstrated the
12 truth. It is difficult to express it any more clearly
13 than that, because by leaving out certain components
14 which went into the makeup of these charts, some of the
15 charts which I have shown would show a graph that goes
16 clear off the page. Let it suffice to say that these
17 figures are as exact as it was within my power to get
18 them.

19 Q All right. We are willing to accept that,
20 Mr. Liebert.

21 Your charts, in the main, and the figures you have
22 presented show production in Japan and the imports of
23 these raw materials in various years. That is correct,
24 isn't it?
25

A That is correct.

LIEBERT

CROSS

1 Q And in no instance do you show what part or
2 percentage of these raw materials was actually used
3 in production of equipment for war, and what part or
4 percentage was used for the production of peacetime
5 necessities?

6 A In all cases the figures were not available
7 to make an accurate statement in that regard. But in
8 those cases where it was possible to do so, I have done
9 it and demonstrated that fact on the charts; witness
10 chart 7-A --

11 Q Yes. I believe there are five charts you used.
12 But outside of those, you didn't demonstrate it, is that
13 correct?

14 A I believe that is correct.

15 Q And outside of these five charts, your figures
16 for all these other raw materials fail to show the
17 percentage that was used in any one particular year
18 for war purposes; isn't that correct?

19 A That is correct.
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LIEBERT

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1 Q You have stated, Mr. Liebert, that Japan is
2 dependent on imports to exist, and in fact all raw
3 cotton, wool, crude rubber must be imported?

4 A Yes.

5 Q And the major portions of iron and non-
6 ferrous metals must be imported; is that not correct?

7 A That is correct.

8 Q Is it a fair statement to make, Mr. Liebert,
9 that once Japan became embroiled in a world war, it
10 would be necessary, if she had been preparing for that
11 war, to have huge stockpiles not only of these materials
12 I have just mentioned, but all the others set forth
13 in your statement on hand for manufacturing purposes?

14 A I don't quite understand your question, but
15 may I break it into two parts?

16 Q Let me ask it in this way, Mr. Liebert. If
17 Japan were preparing for war at the time it broke out,
18 she would necessarily have to have on hand huge stock-
19 piles of these raw materials, wouldn't she, to prosecute
20 the war because she was primarily an importing country?

21 A That is correct. She would have necessarily
22 as great stockpiles as possible of those critical
23 materials which she could not get for herself during
24 the progress of a war.

25 Q And you have, Mr. Liebert, on several

increased stockpiles which you said Japan had as an indication that she was preparing for war. Now, I assume, you were referring to stockpiles of raw materials; is that correct?

A The stockpiles of raw materials and a great stockpile of potential production.

Q By "potential production" do you mean the imports which she had as set forth in your figures in all these years?

A I mean the alignment of factories in such manner that they could be rapidly switched from production at the moment to production of absolute war products.

Q Maybe we do not understand one another, Mr. Liebert. I am not referring to factories; I am referring solely to stockpiles of raw materials.

A Yes, I know, and I used the word "stockpiles" in that sense and also to include the further elements which we must consider as a stockpile of potential production. I will confine my answer, however, to stockpiles of raw materials so that we can get together on this.

Q Yes. In all of your charts and all of your figures, Mr. Liebert, with respect to raw materials

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19 of the produc
20 used. With reference
21 you have just mentioned, that is called indigenous
22 industry on which Japan did not have to rely for --
23 on which she did not have to rely upon imports for
24 continuing production. That is the important fact of
25 building up a potential during these years -- a potential
of indigenous productions which did not have to rely

LIEBERT

CROSS

1 Q And in no instance do you show what part or
2 percentage of these raw materials was actually used
3 in production of equipment for war, and what part or
4 percentage was used for the production of peacetime
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6 A In all cases the figures were not available
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8 those cases where it was possible to do so, I have done
9 it and demonstrated that fact on the charts; witness
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16 for all these other raw materials fail to show the
17 percentage that was used in any one particular year
18 for war purposes; isn't that correct?

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6 ferrous metals must be imported; is that not correct?

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17 Japan were preparing for war at the time it broke out,
18 she would necessarily have to have on hand huge stock-
19 piles of these raw materials, wouldn't she, to prosecute
20 the war because she was primarily an importing country?

21 A That is correct. She would have necessarily
22 as great stockpiles as possible of those critical
23 materials which she could not get for herself during
24 the progress of a war.

25 Q And you have, Mr. Liebert, on several

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CROSS

1 occasions during your testimony referred to the
2 increased stockpiles which you said Japan had as an
3 indication that she was preparing for war. Now, I
4 assume, you were referring to stockpiles of raw
5 materials; is that correct?

6 A The stockpiles of raw materials and a
7 great stockpile of potential production.

8 Q By "potential production" do you mean the
9 imports which she had as set forth in your figures
10 in all these years?

11 A I mean the allignment of factories in
12 such manner that they could be rapidly switched from
13 production at the moment to production of absolute
14 war products.

15 Q Maybe we do not understand one another,
16 Mr. Liebert. I am not referring to factories; I am
17 referring solely to stockpiles of raw materials.

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19 in that sense and also to include the further elements
20 which we must consider as a stockpile of potential
21 production. I will confine my answer, however, to
22 stockpiles of raw materials so that we can get together
23 on this.

24 Q Yes. In all of your charts and all of your
25 figures, Mr. Liebert, with respect to raw materials

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1 you do not set forth what stockpiles Japan had
2 in any one raw material at the end of any one year
3 with the exception of crude oil; is that not correct?

4 A I have used "available supply" in several
5 instances. This is tantamount to the same thing.

6 Q Where, for example, did you use "available
7 supply?"

8 A Refer to the chart on "Machine Tools."

9 Q No, I am referring, Mr. Liebert, to these
10 raw materials, such as coal and all the elements you
11 have included in your chemical industry, your ores
12 and your steels and your light and non-ferrous metals.

13 A In those instances where it has been possible
14 to fix with a degree of accuracy what the consumption
15 was, it is possible only to say what the stockpile was
16 at that particular time. I have no way of knowing
17 in certain of the chemical industries exactly how much
18 of the production for the years indicated was, in effect,
19 used. With reference to the chemical industry which
20 you have just mentioned, that is a so-called indigenous
21 industry on which Japan did not have to rely for --
22 on which she did not have to rely upon imports for
23 continuing production. That is the important fact of
24 building up a potential during these years -- a potential
25 of indigenous productions which did not have to rely

LIEBERT

CROSS

1 on imports from the outside in the event of war.

2 Q But even, Mr. Liebert, with respect to raw
3 materials which Japan did not have to import, would
4 it not be necessary if you were preparing for war
5 to build up huge stockpiles of those too?

6 A Not necessarily, if your production lines
7 are established, it isn't. If your industry is geared
8 to war-time production from war materials to the
9 finished products, that is the important item.

10 Q But even with respect to these products
11 which they did not have to import, none of your
12 figures show what stockpiles Japan had with respect
13 to either those they had to import and those they did
14 not have to import at the end of any one year; is that
15 not so with the exception of crude oil?

16 A Let me refer you to page 53 of the statement.
17 You see there the total available supply of tin.

18 Q Yes, but you do not state, Mr. Liebert, whether
19 or not those 4345 tons were manufactured in the year
20 1931. In other words, your figures do not show the
21 amount of raw material that was piled up for war use.

22 A I have shown that these critical materials
23 were funneled by the operation of various laws and
24 control mechanism into war production. Let us assume --
25

Q Mr. Liebert, may I interrupt you before

LIEBERT

CROSS

1 getting off into a discussion about that. Is it not
2 a fact that your figures do not show from the example
3 you have pointed out whether or not that 4345 tons
4 for the year 1931 were or were not manufactured that
5 year?

6 A That is true. That amount was available
7 for manufacturing purposes.

8 Q And in order to find out how much was
9 piled and stocked away for war purposes, one would
10 have to know how much of it was consumed in that
11 year; is that not so?

12 A That is correct.

13 Q And your figures throughout your statement
14 with respect to all these raw materials failed to
15 show the amount that was consumed in any one year
16 with the exception of crude oil; is that not so?

17 A That is true substantially.

18 Q So that your figures do not show any
19 stockpiles on December 7, 1941; is that not true?

20 A Expressed in exactly that manner, they do
21 not.

22 MR. LOGAN: If the Tribunal please, I
23 believe there is one question left over that defense
24 would like to have -- the figures Mr. Liebert obtained
25 on the budgets, the actual figures he received, if we

LIEBERT

CROSS

1 could have those produced. May we have an order
2 to that effect, your Honor?

3 THE PRESIDENT: We will hear the prosecution
4 first. It may be an order in invitum, I do not know.

5 Brigadier Quilliam.

6 BRIGADIER QUILLIAM: May it please the Tribunal,
7 I am afraid I do not quite understand what my learned
8 friend has asked for. The witness has produced to the
9 Tribunal the budget figures.

10 THE PRESIDENT: They want the material from
11 which he made up his report. They think he had a
12 choice and that he exercised it against them; at least
13 they suggest that. That is my impression.

14 BRIGADIER QUILLIAM: The witness, may it
15 please the Tribunal, has already told us that he ob-
16 tained three lots of figures, budget figures, before
17 he got accurate figures.

18 THE PRESIDENT: They suggest before he got
19 figures that suited him.

20 BRIGADIER QUILLIAM: Then I respectfully
21 suggest that the proper way is to prove that the witness's
22 figures are wrong, which would be competent for the
23 defense to do, if they can.

24 THE PRESIDENT: Those documents are in the
25 possession of the Japanese Government and are subject

LIEBERT

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1 to an order of this Court, I take it.

2 BRIGADIER QUILLIAM: If your Honor pleases,
3 a great deal of the cross-examination of the witness
4 has been of a general, of a fishing nature and this
5 seems to me another example.

6 THE PRESIDENT: As you oppose the application
7 here it may be that I should deal with it in Chambers
8 and if the defense are not satisfied they could bring
9 the matter before the whole Court.

10 BRIGADIER QUILLIAM: If your Honor pleases.
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1 MR. FURNESS: That will be satisfactory,
2 sir. We do call attention to the fact that the witness
3 has testified that all these figures, especially with
4 respect to the fiscal year 1941, were included in
5 the budget adopted at the end of the fiscal year 1940.
6 We doubt that, and we cannot understand why, if
7 there is no doubt as to the accuracy of the figures,
8 why they should have any objection to producing them.

9 BRIGADIER QUILLIAM: May it please your
10 Honor, I submit that in the circumstances that comment
11 was entirely unjustifiable; and may I be permitted
12 to point out that this witness has been cross-examined
13 by nine counsel over more than three days, and no
14 serious or proper attempt has been made to challenge
15 the accuracy of any of his figures. He has offered
16 to make available to the defense his information and
17 to give the sources of his information. Not one
18 request for that has been made. But, I desire to
19 assure the Court that if the defense asks for infor-
20 mation -- reasonable information -- it will be given
21 gladly.

22 MR. FURNESS: We submit that is exactly the
23 request we are making. We are, however, perfectly
24 willing to take it up in Chambers.

25 THE PRESIDENT: Perhaps there would be no

LIEBERT

1 need for an application in Chambers; but if there is,
2 I will deal with it. Matters such as discovery are
3 dealt with in Chambers and not in Court. That is
4 why I suggested it should come to me in Chambers.

5 Mr. Levin.

6 MR. LEVIN: Mr. President, the cross-examin-
7 ation on the part of the defense is concluded.

8 THE PRESIDENT: Brigadier Quilliam.

9 BRIGADIER QUILLIAM: May it please the
10 Tribunal, I do not propose to re-examine the witness,
11 and I ask leave for the witness to be allowed to
12 leave the Tribunal and also to return to the United
13 States on the usual conditions.

14 THE PRESIDENT: Well, there is no opposition.

15 MR. LEVIN: Mr. President, we have no
16 objection.

17 THE PRESIDENT: Mr. Liebert may leave Japan
18 on those conditions.

19 (Whereupon, the witness was excused.)

20 BRIGADIER QUILLIAM: May it please the
21 Tribunal, that concludes the evidence with respect
22 to economic preparations, and my colleague, Mr. English,
23 will now present the evidence with respect to military
24 preparations.

25 THE PRESIDENT: Mr. English.

1 MR. ENGLISH: Mr. President, Members of the
2 Tribunal, it is now proposed to produce evidence of
3 Japan's general military preparations for her wars
4 of aggression. The evidence affects counts 1 to 36
5 inclusive and Section 5(b) of Appendix A of the
6 Indictment.

7 Reference is made to Court exhibit No. 84,
8 the National General Mobilization Law, page 684 of
9 the record. Will the Clerk please mark for identifi-
10 cation prosecution documents 2604 and 2605 for May
11 19th and May 20th, 1938, issues of the Japan Adver-
12 tiser, a newspaper published prior to October 10, 1945,
13 in Tokyo in the English language.

14 CLERK OF THE COURT: Prosecution's document
15 No. 2604-A will be given exhibit No. 862 for identi-
16 fication only; and prosecution's document No. 2605-A
17 will be given exhibit No. 863 for identification only.

18 (Whereupon, the above-mentioned documents
19 were marked prosecution's exhibits Nos. 862
20 and 863 for identification only.)

21 MR. ENGLISH: I offer in evidence prosecu-
22 tion documents Nos. 2604-A and 2605-A, excerpts from
23 prosecution documents 2604 and 2605, and being an
24 article entitled "Army Explains War Bill," a trans-
25 lation of the text of a pamphlet issued by the War

1 Department explaining the provisions of the National
2 Mobilization Bill and appearing on page 4 of the
3 May 19 and May 20, 1938 issues. Two certificates
4 are attached to the documents: one certifying that
5 the original pamphlet or a copy thereof cannot be
6 found in the files or archives of the First Demobili-
7 zation Bureau; the other that the present Nippon Times
8 absorbed the former Japan Advertiser on October 10,
9 1940 and all records of the Japan Advertiser prior
10 to that date have been lost or destroyed and that
11 the original manuscript from which the article was
12 translated cannot be located.

13 Will the Clerk please assign to prosecution
14 documents 2604-A and 2605-A exhibit numbers?

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 2604-A, being an excerpt from the prosecution's
18 document 2604-A, will receive exhibit No. 862-A; and
19 the excerpt from prosecution's document No. 2605-A
20 will receive exhibit No. 863-A.

21 (Whereupon, the above-mentioned docu-
22 ments were respectively marked prosecution's
23 exhibits Nos. 862-A and 863-A and were received
24 in evidence.)

25 MR. ENGLISH: If the Tribunal please, I will

1 read part of the article on page 4 of the May 19, 1938
2 issue commencing with the beginning and continuing
3 to the sub-heading "Summary of Articles."

4 (Reading): "The Japan Advertiser, Tokyo,
5 May 19, 1938.

6 "ARMY EXPLAINS "WAR BILL.

7 "Scope of General National Mobilization Law
8 Takes in Every Private Industry; Toys and Raw Silk
9 May be Included.

10 "Following is the translation of the text
11 of a pamphlet issued by the War Department, explaining
12 provisions of the National Mobilization bill. The
13 concluding part will appear on this page tomorrow.

14 "Under the existing international circum-
15 stances, it is necessary for the Japanese people to
16 have a clear and unified understanding and appreciation
17 of the National General Mobilization Law. We will,
18 therefore, explain first the form and scope of the law
19 and then its contents.

20 "Although some of the items in the law are
21 secret matters and we can not reveal them to the
22 public at large for the time being, we will, at any
23 rate, try our best to show the spirit and substance
24 of the law as a whole so that readers may grasp its
25 reality purely from the viewpoint of national defense.

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14 "Under the existing international circum-
15 stances, it is necessary for the Japanese people to
16 have a clear and unified understanding and appreciation
17 of the National General Mobilization Law. We will,
18 therefore, explain first the form and scope of the law
19 and then its contents.

20 "Although some of the items in the law are
21 secret matters and we can not reveal them to the
22 public at large for the time being, we will, at any
23 rate, try our best to show the spirit and substance
24 of the law as a whole so that readers may grasp its
25 reality purely from the viewpoint of national defense.

1 "Japan faces on her north the Soviet Union,
2 which, with an ambition to sovietize the world, has
3 organized an immense army and has completed her
4 national defense all along her boundary lines. On
5 her west she has the Chiang Kai-shek political power
6 with a violent policy of resistance against her.
7 Moreover, she is surrounded by the powerful navies
8 of the United States and Great Britain. As an island
9 Empire she is narrowly limited in her land area and
10 woefully lacking in natural resources. Under such
11 conditions, it is simply inevitable that Japan has
12 to face great difficulties in organizing a plan which
13 makes for the efficiency of her national defense.

14 "Defense Line Shifted"

15 "The Manchurian Incident has brought about a
16 great change in the condition of national defense.
17 The situation has been enhanced by the present Incident.
18 Under the new situation, the line of national defense
19 has been shifted several hundred miles further from
20 the national boundary and extended to Central China
21 by way of North Manchuria and North China, a distance
22 of more than a thousand miles. In the face of this,
23 it has become a matter of supreme importance for Japan
24 to expand and strengthen all aspects of her national
25 power to hold this line of defense effectively for

1 the establishment of permanent peace in the Orient
2 in cooperation with Manchukuo and North and Central
3 China. A success or failure in her attempt to realize
4 this national ideal depends upon the determination
5 of the Japanese people. For many years to come,
6 Japan must make very serious efforts in perfecting
7 and strengthening her national defense for the
8 realization of this ideal and the National General
9 Mobilization Law is intended to accomplish this end.

10 "By the national General Mobilization, Japan
11 aims to control and operate her entire personal and
12 material resources to the fullest possible extent in
13 order to enable her to demonstrate her national
14 power most effectively for her national defense in time
15 of emergency. In other words, she seeks to mobilize
16 her national vitality to the greatest possible extent,
17 in order to enable her to supply her army and navy
18 with the vast amount of war materials they require in
19 time of war to secure the smooth economic operation
20 for the stability of national life, and at the same
21 time to demoralize the enemy on the battlefield as
22 well as on the economic and propaganda fronts. Military
23 success in the future depends chiefly upon superiority
24 to the enemy in the ability to fight by mobilizing
25 systematically and effectively the synthetic national

1 of spiritual power is more important than any other
2 element of national strength. All possible efforts,
3 therefore, must be made by mobilizing educational
4 institutions and propaganda organs for a unified
5 campaign to intensify the fighting spirit of the
6 people, which will enable them to endure any amount
7 of hardship and difficulties.

8 "Another important matter in the scheme of
9 general mobilization is the acquisition of vast
10 quantities of necessary materials to supply the
11 army and the navy. In time of war, all kinds of
12 materials will be consumed in great quantities due
13 to the vast expansion of fighting equipment in keep-
14 ing with the progress of science. In order to satisfy
15 this demand, the government must collect and prepare
16 them for use speedily in the shortest time possible.
17 A shortage of war materials must be made up by acquir-
18 ing them from abroad in good time. On the other hand,
19 the government must make efforts to increase the pro-
20 duction of such materials at home and have them in
21 store to provide for any possible contingency. It
22 may be necessary for the government to limit or pro-
23 hibit the consumption of certain war materials for
24 ordinary purpose or to encourage the people to use
25 substitutes for them."

1 strength as long as war continues. "

2 THE PRESIDENT: We will recess for fifteen
3 minutes.

4 (Whereupon, at 1045, a recess was
5 taken until 1100, after which the proceed-
6 ings were resumed as follows:)

7 MARSHAL OF THE COURT: The International
8 Military Tribunal for the Far East is now resumed.

9 THE PRESIDENT: Mr. English.

10 MR. ENGLISH: (Reading)

11 "By synthetic national strength, we mean the
12 national strength consisting of all elements, tan-
13 gible and intangible, of personal and material
14 resources. The national general mobilization calls
15 for the concentration of these elements most system-
16 atically to one constant synthetic national power
17 for an effective demonstration in order to gain the
18 final victory in a war.

19 "All elements of national strength may be
20 displayed effectively by the efficient operation of
21 the national system. Since the national system is
22 operated by man, the source of fighting strength
23 is the people and their spiritual power. From this
24 consideration, it is obvious that the mobilization
25

1 of spiritual power is more important than any other
2 element of national strength. All possible efforts,
3 therefore, must be made by mobilizing educational
4 institutions and propaganda organs for a unified
5 campaign to intensify the fighting spirit of the
6 people, which will enable them to endure any amount
7 of hardship and difficulties.

8 "Another important matter in the scheme of
9 general mobilization is the acquisition of vast
10 quantities of necessary materials to supply the
11 army and the navy. In time of war, all kinds of
12 materials will be consumed in great quantities due
13 to the vast expansion of fighting equipment in keep-
14 ing with the progress of science. In order to satisfy
15 this demand, the government must collect and prepare
16 them for use speedily in the shortest time possible.
17 A shortage of war materials must be made up by acquir-
18 ing them from abroad in good time. On the other hand,
19 the government must make efforts to increase the pro-
20 duction of such materials at home and have them in
21 store to provide for any possible contingency. It
22 may be necessary for the government to limit or pro-
23 hibit the consumption of certain war materials for
24 ordinary purpose or to encourage the people to use
25 substitutes for them."

1 "In order to facilitate such activities,
2 it is necessary to unify all producing enterprises
3 and organs of exports and imports for a systematic
4 production and distribution. For this purpose, the
5 government will have to issue various regulations
6 by Imperial ordinances. It will also take necessary
7 steps to prevent a rise in prices of commodities and
8 may go the length, if necessary, of fixing official
9 prices on such commodities. Japan is blessed with
10 plenty of foodstuffs, but some arrangement will have
11 to be made to prevent a possible decline in production.

12 "With the outbreak of a war, a large number
13 of young men who are working in mines and factories
14 will be called to the colors, and those establishments
15 must be replenished with a greater number of opera-
16 tives than before to meet the exigency. In time of
17 war, however, all organizations engaged in peace
18 industries may have to curtail their activities or
19 even suspend them altogether because their products
20 may not be wanted in such a time or due to difficul-
21 ty in securing raw materials to work upon, with the
22 result that a large number of operatives will be put
23 out of work. The object of personnel mobilization
24 is to adjust the demand and supply of labor to cope
25 with the situation. For this purpose, it is necessary

1 for the government to perfect educational and employ-
2 ment institutions for the proper training of young men
3 in certain trades and for the proper distribution of
4 workers. It calls for close cooperation between labor
5 and capital as well as the cooperation of women. The
6 effective relief of wounded soldiers and their fami-
7 lies is another important item which comes under the
8 personnel mobilization.

9 "Government Finance Control"

10 "In order to raise enough funds for the
11 execution of war, it is necessary for the government
12 to establish a war time tax system and a policy of
13 floating public bonds to prevent an undesirable
14 financial inflation. For this purpose the government
15 may control all money circulation organizations to
16 facilitate a proper circulation of money. It will
17 also make efforts, in order to buy necessary raw
18 materials, to increase export trade, to arrange finan-
19 cial credit to manage foreign bonds held by Japanese,
20 to increase the output of gold, etc.

21 "In time of war, a speedy transportation of
22 men, munitions and provisions to the war fronts is
23 essential for gaining a victory. This calls for the
24 unified operation of all transportation facilities
25 on land and sea to the greatest possible extent."

1 "At the same time, equipment of all harbors and ports
2 must be perfected and strengthened. It must not be
3 forgotten that in time of war the army and navy will
4 appropriate a greater proportion of vessels for their
5 own purpose. The government will take similar steps
6 for increasing the efficiency of communication ser-
7 vices.

8 "Scientific Mobilization"

9 "Mobilization of the scientific elements of
10 national strength is another important item in the
11 scheme of general mobilization. In time of war, it
12 is urgent for the government to /Note: several words
13 unreadable/ shortage of various war materials by
14 mobilizing the science resources of the country. For
15 this purpose the government will make special arrange-
16 ments for enabling scientists and scientific institu-
17 tions to raise their efficiency to the highest possible
18 point.

19 "In order to facilitate the national general
20 mobilization, the government will accurately collect
21 all kinds of information at home and abroad as a
22 part of the mobilization of information propaganda and
23 guard services. It also will launch a propaganda cam-
24 paign for mobilization of the national spirit and the
25 unification of national opinion for the execution of

1 war. As a part of the propaganda, efforts will be
2 made to create in foreign countries favorable public
3 opinion for Japan. In addition to this, the govern-
4 ment will make efforts for the protection of materials
5 and for the maintenance of peace and order to facili-
6 tate the national general mobilization. This is
7 particularly important in time of enemy air raids and
8 to thwart spy activities.

9 "Flexible Plans Essential"

10 "It is important for the government to make
11 necessary preparations in time of peace to provide
12 against any possible contingency necessitating the
13 general mobilization. The government, therefore, must
14 be equipped with far-reaching plans to raise efficiency
15 promptly in production of necessary materials, their
16 transportation and other activities to facilitate the
17 general mobilization. The plans and preparations will
18 differ in their scope according to the magnitude of
19 war. The government, therefore, must be equipped with
20 plans and preparations, applicable to varying condi-
21 tions to carry out a general mobilization.

22 "The Cabinet first will draw a rough draft
23 on the basis of which all departments of the govern-
24 ment will make their respective plans and preparations
25 for the general mobilization. Parties engaged in

1 foreign trade and those engaged in enterprises for
2 producing and distributing commodities must conform
3 to the plans prepared by the departments of the
4 government. The conduct of the parties concerned
5 will be controlled by regulations to be promulgated
6 by Imperial ordinances or to be brought into existence
7 by revising existing law. The government will
8 take such steps in good time so that the army and
9 the navy will always be adequately supplied with all
10 essentials to carry on war.

11 "Such regulations, which may require re-
12 visions in the future, should be fixed by Imperial
13 ordinances for the sake of convenience instead of being
14 made provisions of the National General Mobilization
15 Law. If they were made provisions of the law, any
16 alterations in them would require a sanction of the
17 Imperial Diet. Such a process in securing a revision
18 is not practical in time of war when everything must
19 be arranged swiftly. Nor is the method of resorting
20 to an urgent Imperial ordinance for the revision
21 practical because the matter would have to be referred
22 to a deliberation of the Privy Council. Moreover, an
23 urgent Imperial ordinance could not be issued if a
24 Diet session were in progress.

25 "But the basic principles on which such

1 regulations may be established should be embodied in
2 the law because they would require alterations accord-
3 ing to any change in the circumstances of general
4 mobilization. In the application of the law, the
5 government is to consult with the National General
6 Mobilization Research Commission, thus preventing it
7 from abusing its power of causing the issuance of
8 Imperial ordinances. It is also expected that the
9 government will create various semi-official organs
10 to deliberate ways and means of control under the
11 regulations to insure justice, as has been the case
12 in the control of iron, steel and copper. The govern-
13 ment in the actual execution of the regulations in
14 keeping with prevailing industrial conditions of the
15 country will depend largely upon a voluntary control
16 on the part of private enterprises. It will also take
17 into consideration views of such self-governing bodies
18 when it will formulate its plans in order to avoid
19 making a blunder."
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1 I offer in evidence prosecution's document
2 No. 1756-G, further excerpts from prosecution's
3 document No. 1756, the Japan Year Book, 1941-1942,
4 for the purpose of showing that the Military Service
5 Law was amended on March 8, 1939 and revised by the
6 Imperial Diet and enforced on April 1, 1941.

7 The document is also offered in evidence to
8 prove that a National Defense Security Law was ap-
9 proved by the Imperial Diet and enforced on May 10,
10 1941. Other excerpt from this document received in
11 evidence as Court exhibit Nos. 276-A and 276-B,
12 pages 3699 and 3701 of the record.

13 I will read, if the Tribunal pleases, the
14 excerpt.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 1756-G will receive exhibit No. 864.

18 (Thereupon, the document above
19 mentioned was marked prosecution's exhibit
20 No. 864 and received in evidence.)

21 MR. ENGLISH: (Reading)

22 "Excerpts from 'The Japan Year Book,
23 1941-1942'

24 "Page 233: 'Revisions of the Military
25 Service Law'

"Revision in 1939

"The Law Amending the Military Service Law was promulgated on March 8, 1939. The items of revision include: amendments to the regulations on the term of military service; conscription of ex-service men; postponement of conscription for students and the manner of this conscription; abrogation of the short-term service system; and recognition of the privilege of postponement of conscription for Japanese students in Manchoukuo Government schools.

"Revision of the Term of Service.

"Under the new Law the term of the supplementary reserve service for the Army was lengthened from 12 years and four months, while that of the first reserve service for the Navy was prolonged from four years to five years and that of the second reserve service from five years to seven years.

"Page 234: Revisions in 1941.

"Another revised Military Service Law which was passed by the Imperial Diet at its 76th Session was enforced on April 1, 1941.

"The main points of revision are (1) the enrollment of new conscripts in overseas districts into the garrisons nearest to their residences, (2) the abrogation of the second reserve service system,

1 and (3) the prolongation of the days of call for the
2 education of the supplementary reservists.

3 "(1) According to the provisions of the
4 existing Military Service Law, new conscripts are en-
5 rolled, as a rule, into the armies stationed in areas
6 in Japan proper where they are registered as Japanese
7 subjects, or into the garrisons in such overseas
8 districts as Chosen, Taiwan, Kwantung or China for
9 convenience. There arise cases where the ambitious
10 young men who have gone out to overseas territories
11 to open a future for themselves have to return to
12 Japan proper for their examination and enrollment and
13 are cut short of their ambition. The revision is
14 therefore made in this respect to cause young men to
15 be enrolled in the armies or garrisons stationed in
16 the regions other than Japan proper without regard to
17 their census registration. The new rule shall be
18 applied first to those young men who are to receive
19 the conscription examination in 1942.

20 "(2) The old system divides those eligible
21 for military service into three categories, namely,
22 the active, the 1st reserve and the second reserve.
23 In view of the increased demands made on armed ser-
24 vices in wartime, the increase of different kinds of
25 works and the intricacy of organization in the recent

1 defense services, the demarcation between the first
2 and second reserves has become meaningless, the
3 State requiring all reserve soldiers to appear for
4 active service at any time and in the same spirit of
5 loyalty. And the new law provides that all those who
6 have completed their active service shall be enlisted
7 in the reserve list for the whole length of term
8 formerly divided into the two reserve services. This
9 rule governing the reserve servicemen came into force
10 as from April 1, 1941.

11 "(3) With the progress of military drill
12 and education in many fields of military art, the
13 duration of term for educating the supplementary
14 reservists has been lengthened from the present 120
15 to 180 days, the rule coming into force from April 1,
16 1941.

17 "Page 241. National Defense Security Law

18 "The National Defense Security Law is one
19 of the most important legislations which was approved
20 by the 76th Session (December 1940-March 1941) of the
21 Imperial Diet and enforced on May 10, 1941.

22 "There is already in operation the Military
23 Secret Protection Law designed to guard against the
24 leakage of military secrets and the Defense Resources
25 Secrets Protection Law to safeguard the secrecy of the

1 defense resources of the country. But, no law spec-
2 ifically intended to protect the highest secrets of
3 the State relating to diplomatic, financial and eco-
4 nomic matters had yet been enacted."

1 I offer in evidence prosecution's document
2 No. 1570, entitled "Outline of Fundamental National
3 Policies," a pamphlet published by the Planning Board
4 in April, 1941 to show that on 22 January, 1941, as
5 part of Japan's general military preparations, the
6 Cabinet decided to enforce a population policy to
7 insure a source of military strength.

8 Will the Clerk assign an exhibit number,
9 please?

10 THE PRESIDENT: Admitted on the usual
11 terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 1570 will receive exhibit No. 865.

14 ("Whereupon, the document above
15 mentioned was marked prosecution's exhibit
16 No. 865 and received in evidence.)

17 MR. ENGLISH: I will read from page 1:

18 (Reading) "Strictly Confidential, April,
19 1941 /Showa 16/ Outline of Fundamental National Poli-
20 cies, Planning Board."

21 I will continue reading from page 45:

22 "OUTLINE FOR THE ESTABLISHMENT OF A POPULATION POLICY

23 "Decided by the Cabinet 22 January 1941/Showa 16/

24 "I. Purport.

25 "It is the mission of the Empire to estab-

1 lish the East Asia Co-Prosperity Sphere and promote
2 its everlasting healthy development. In order to ac-
3 complish this mission, it is especially and urgently
4 necessary to promote, by establishing a population
5 policy, the rapid and permanent development of our
6 country's population and the drastic improvement of its
7 quality, and also effect the proper distribution of our
8 population in order to secure Japan's leadership in
9 East Asia.

10 "II. Aims.

11 "In accordance with the foregoing purport,
12 our population policy shall aim for the time being, at
13 obtaining a total domestic population of 100,000,000
14 by 1960 /SHOWA 35/ with the object of achieving the
15 following objectives: Separate provisions shall be
16 made for overseas population.

17 "1) To maintain a continual development of popu-
18 lation;

19 "2) To surpass other countries in respect to its
20 reproductive power and quality;

21 "3) To ensure the supply of military and labour
22 forces required by a high-degree national
23 defense state;

24 "4) To effect the proper distribution /of popu-
25 lation/ in order to secure Japan's leadership
over the various races of East Asia."

I will continue reading from page 48:

"V. Measures for improving quality.

"The improvement of quality shall be planned with the object of improving the spiritual and physical qualities necessary for national defense and labour.

"a) Through the execution of the territorial plan, the composition and distribution of the population shall be rationalized. In particular, the population of the big cities shall be dispersed by evacuation.

For this purpose, measures shall be taken to disperse factories and schools to the provincial areas.

"b) In view of the present condition in which the rural villages constitute the best source of military and labour forces, the rural population of Japan proper shall be maintained at a fixed number, and measures shall be taken to secure for agriculture 40 per cent of the Japanese population in Japan, Manchukuo and China combined.

"c) With the object of giving spiritual and physical training to youths in schools, the courses of study shall be reformed, training intensified, method of education and training reformed,

- 1 and the physical training facilities expanded.
- 2 "d) In view of present conditions of rapid increase
- 3 in the population of the cities, the physical
- 4 and spiritual training of youths in the cities
- 5 especially shall be intensified, so as to make
- 6 them a good source of military and labour
- 7 forces.
- 8 "e) In order to train the mind and body of young
- 9 men, a system of making them undergo special
- 10 group training on a compulsory basis for a
- 11 fixed period of time shall be created.
- 12 "f) The different welfare, physical education
- 13 facilities shall be increased in large numbers
- 14 and a healthy, simple form of national life
- 15 shall be established.
- 16 "g) Eugenics shall be disseminated, and the nation-
- 17 al eugenics law shall be strengthened and
- 18 thoroughly understood."
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1 with doctrines dissimilar to ours that may hinder
2 the execution of the expansion of the Imperial
3 undertaking. The main stress in the armament must
4 be in the establishment of an air force, taking away
5 from the people the idea that the aircraft belongs
6 to the army and imbuing them with the idea that the
7 aircraft belongs to the nation and the people,
8 similar to the faith that our people had in the
9 Japanese sword in olden times."

1 I offer in evidence prosecution's document
2 No. 488-C, an additional excerpt from prosecution's
3 document No. 488, a book entitled "The Inevitability
4 of the Renovation" by the accused HASHIMOTO, Kingoro
5 for the purpose of showing that HASHIMOTO in 1940
6 advocated the increase of armaments to the extent
7 necessary for conquering other countries.

8 Other excerpts from this document were
9 received in evidence as Court exhibit No. 264, page
10 3531 of the record.

11 I ask that document 488-C be given an
12 exhibit No.

13 THE PRESIDENT: Admitted on the usual
14 terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 488-C will be given exhibit No. 866.

17 (Whereupon, the document above
18 mentioned was marked prosecution's exhibit
19 No. 866 and received in evidence.)

20 MR. ENGLISH: (Reading)

21 "The Inevitability of the Renovation by
22 HASHIMOTO (p. 139, paragraph 4)

23 "A Leap Towards Armament

24 "There must be established an absolute
25 armament to subjugate under any occasion, any nation

1 with doctrines dissimilar to ours that may hinder
2 the execution of the expansion of the Imperial
3 undertaking. The main stress in the armament must
4 be in the establishment of an air force, taking away
5 from the people the idea that the aircraft belongs
6 to the army and imbuing them with the idea that the
7 aircraft belongs to the nation and the people,
8 similar to the faith that our people had in the
9 Japanese sword in olden times."

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1 MR. ENGLISH: I offer in evidence prosecu-
2 tion's document No. 522, a photostatic copy of a
3 telegram from German Ambassador in Tokyo, Ott, to
4 Ribbentrop, 13 July 1941, for the purpose of showing
5 that by July, 1941, Japan had taken serious mobiliza-
6 tion measures and made military preparations. Will
7 the clerk assign an exhibit number.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 522 will receive exhibit No. 867.

11 (Whereupon, the document above referred
12 to was marked prosecution's exhibit No. 867 and
13 received in evidence.)

14 MR. ENGLISH: I will read paragraph 4 on
15 page 2:

16 "As regards the report of the Japanese
17 Ambassador in Moscow, I refer to telegraphic report
18 No. 1207 of 12th July. In the meanwhile there are
19 symptoms perceptible here that Japan is seriously under-
20 taking military mobilization measures. The military
21 attache reported regarding this in telegram No. 1200
22 of 12th July. As regards Japanese attitude towards an
23 American attack against one of the Axis Powers, I beg
24 to refer to my telegraphic report No. 893 of 6th June,
25 cypher 2.

1 "I am using all possible means to bring about
2 Japan's entry into the war against Russia as soon as
3 possible, and in particular by using the arguments of
4 the personal message from the German Foreign Minister
5 and the telegram cited above, to influence MATSUOKA
6 personally, as well as the Foreign Office, military
7 elements, Nationalists and friendly business men. I
8 believe that, as military preparations reveal,
9 Japanese participation will soon take place. The
10 greatest obstacle against which one has to fight is the
11 disunity of the Activist groups which, without unified
12 command, follows various aims and only slowly adjusts
13 itself to the changed situation."

14 Reference is made to Court exhibit 528, page
15 6566 of the record, being Resolutions concerning the
16 Japanese-American Negotiations conducted through the
17 Conferences in the Imperial Presence of 2 July 1941,
18 6 September 1941, 5 November 1941, and 1 December 1941,
19 to show that on September 6, 1941, a resolution was
20 adopted by the Imperial Conference proving that Japan,
21 with a determination for a war with the United States,
22 Great Britain, and the Netherlands, was to have com-
23 pleted her preparations for the war by the end of
24 October 1941. I will read additional parts of
25 exhibit 588 as follows, page 2 of the English

1 translation, Arabic numeral 2, but only the first
2 paragraph and paragraph a:

3 "Resolution adopted through the Imperial
4 Conference on September 6, 1941.

5 "Summary: Execution of the Empire's Policy.

6 "In view of the present acute situation,
7 especially the aggressive movements the United States,
8 Britain and the Netherlands have assumed; the situ-
9 ation of Soviet Russia; and the suppression of our
10 national power; Japan will execute her Southern ad-
11 vance policy, related in the 'Principle of Japan's
12 Policy According to the Change of Situations,' as
13 follows:

14 "a. In order to secure self-existence and self-
15 defense, Japan, with a determination for a war with
16 the United States (Britain and the Netherlands), will
17 have completed her preparations by the end of October."

18 Will the Clerk please mark for identification
19 prosecution's document No. 1795 entitled "Kampo
20 No. 2142," a bound volume of official gazettes for
21 October, 1940, which have been issued daily for the
22 publishing of all ordinances and laws, among other
23 matters, by authority of the Japanese Government.

24 I offer in evidence prosecution's document
25 No. 1795B, being an excerpt from prosecution's document

1 No. 1795, for the purpose of showing the establish-
2 ment in 1940, by Imperial ordinance No. 648, of the
3 Total War Research Institute, an organization under
4 the administration of the Prime Minister charged with
5 basic research and study in regard to total war and of
6 the education and training of officials and others
7 concerned with total war. Will the Clerk please assign
8 this document an exhibit number?

9 CLERK OF THE COURT: Prosecution's document
10 No. 1795 will receive exhibit No. 868 for identification
11 only.

12 (Whereupon, the document above referred
13 to was marked prosecution's exhibit No. 868 for
14 identification only.)

15 THE PRESIDENT: The excerpt is admitted on the
16 usual terms.

17 CLERK OF THE COURT: And the excerpt there-
18 from, to-wit: prosecution document No. 1795B, will
19 receive exhibit No. 868A.

20 (Whereupon, the document above referred
21 to was marked prosecution's exhibit No. 868A and
22 received in evidence.)

23 MR. ENGLISH: I will read the ordinance, if
24 the Tribunal please:

25 "Official Gazette.

1 "Showa 15-10-1 (1st Oct. 1940)

2 "No. 4122 Tuesday.

3 "Imperial Ordinance.

4 "We promulgate the Imperial assent to the
5 organization of the Total War Research Institute.

6 "Imperial Signature. Imperial Seal.

7 "Showa 15-9-30 (30 September 1940)

8 "Prime Minister Prince Konoye Fumimaro.

9 "Imperial Ordinance No. 613.

10 "Organization of the Total War Research
11 Institute Control.

12 "Article I:- The Total War Research Institute
13 shall be under the administration of the Prime Minister
14 and shall control basic study and research in connec-
15 tion with national total war and shall control the
16 education and training of officials and others in
17 connection with national total war.

18 "Article II:- The staff of the Total War
19 Research Institute shall be constituted as follows:

20 "Head of Institute: - of Chokunin Rank.

21 "Staff:- Full time; 11 persons; Sonin rank
22 (of which 3 can be Chokunin rank)

23 "Assistants:- Full time; 5 persons; Hannin
24 rank.

25 "Clerical Staff:- Full time; 3 persons; Hannin

1 rank.

2 "Article III:- The head of the institute
3 shall govern the affairs of the Institute under the
4 supervision of the Prime Minister.

5 Article IV:- The staff will control the
6 affairs of the Institute under the others of the head
7 of the Institute.

8 "Article V:- The assistants will carry on
9 the affairs of the Institute under the directions of
10 their superiors.

11 "Article VI:- The clerical staff will carry
12 on general duties under the directions of their superiors.

13 "Article VII:- Councillors shall be installed
14 in the Total War Research Institute and shall partici-
15 pate in its duties. Councillors shall be appointed
16 by the Cabinet from among higher civil servants of the
17 various government offices concerned and from among
18 eminent and experienced scholars on recommendation to
19 the Throne by the Prime Minister.

20 "Additional Rule: This ordinance comes into
21 force from the day of promulgation."

22 I refer to Court exhibit 109, the personnel
23 record of the defendant HOSHINO. On page 5 of the
24 exhibit there appears these entries: "October 1, 1940,
25 appointed as Acting Director of the Over-all Strength

1 Experimental Station, Cabinet. May 2, 1941, appointed
2 as Councillor of the Over-all War Strength Experimental
3 Station Cabinet."

4 I refer to Court exhibit No. 113, the person-
5 nel record of the defendant KIMURA. On page 6 of the
6 exhibit there is this entry: "May 5, 1941, appointed
7 Councillor of the Total Stength War Research Insti-
8 tute."

9 I also refer to Court exhibit 126, the
10 personnel record of the defendant SUZUKI. On page 4
11 of this exhibit there appears this entry: "December 21,
12 1940, appointed Counci1lor of the Total War Investi-
13 gation Laboratory."
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HORIBA

DIRECT

1 MR. ENGLISH: Will the Marshal please call
2 as a prosecution witness HORIBA, Kazuwo?

3 K A Z U W O H O R I B A, called as a witness on
4 behalf of the prosecution, being first duly
5 sworn, testified, through Japanese interpre-
6 ters, as follows:

7 DIRECT EXAMINATION

8 BY MR. ENGLISH:

9 Q Will the witness state his name and present
10 occupation?

11 A Secretary in the First Mobilization Bureau.

12 Q How long have you been officially connected
13 with the Japanese Government? Did the witness answer
14 that question?

15 A About twenty-five years.

16 Q Do you understand or read the English language?

17 A I don't understand.

18 Q You have before you a paper marked pro-
19 secution's document No. 2543, which purports to be an
20 affidavit, signed by you on the 5th day of August,
21 1946. Did you sign that paper?

22 A Yes, I signed it.

23 Q Are the facts set forth in the affidavit true?

24 A No mistakes.

25 Q What did the witness say?

HORIBA

DIRECT

1 THE INTERPRETER: No mistakes.

2 Q Then I assume that the facts set forth therein
3 are true and correct?

4 A It is as set forth in the affidavit.

5 MR. ENGLISH: I offer in evidence pros-
6 ecution's document No. 2548, and ask that it be
7 assigned an exhibit number.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 2548 will receive exhibit No. 869.

11 (Whereupon, the document above
12 mentioned was marked prosecution's exhibit
13 No. 869 and received in evidence.)

14 MR. ENGLISH: If the Tribunal please, I
15 will read the affidavit:

16 "THE UNITED STATES OF AMERICA and OTHERS)
17 AGAINST) AFFIDAVIT
18 ARAKI, SADA0 and OTHERS)

19 "I, HORIBA, Kazuwo do swear on my conscience
20 that the following is true:

21 "1. I am officially connected with the
22 Japanese Government as the Secretary of the First
23 Demobilization Bureau.

24 "2. The document hereto annexed and marked
25 'Exhibit A' which has been signed by me is a list of

HORIBA

DIRECT

1 Members of the Institute for the research into total
2 war. The document hereto annexed and marked 'Exhibit
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1 AA' which has also been signed by me is a translation
2 of Exhibit A which I handed to the International Pro-
3 secution Section.

4 "3. The document hereto annexed and marked
5 'Exhibit B' which has been signed by me is a list of
6 research student members of the Institute for the re-
7 search into total war for the first, second and third
8 periods from April 1, 1941 to March 1944. The document
9 hereto annexed and marked 'Exhibit BB' which has also
10 been signed by me is a translation of Exhibit B which
11 I handed to the International Prosecution Section.

12 "4. The document hereto annexed and marked
13 'Exhibit C' which has been signed by me is a list of
14 the contents of lectures at the Research Institute.
15 The document hereto annexed and marked 'Exhibit CC'
16 which has also been signed by me is a translation of
17 Exhibit C which I handed to the International Pro-
18 secution Section.

19 "5. The said documents marked 'Exhibit A',
20 'Exhibit B' and 'Exhibit C' have been compiled by me
21 from memory and from enquiries made by me, the
22 official records having been burnt or destroyed, and
23 I cannot claim that they are complete.

24 "6. The document hereto annexed and marked
25 'Exhibit D' which has been signed by me is a list of

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1 the subjects and practices of education and training
2 for first term students of the Institute in 1941
3 showing the names of lecturers and the number of
4 lectures on each subject and other particulars. The
5 document hereto annexed and marked 'Exhibit DD' which
6 has also been signed by me is a translation of Exhibit
7 D which I have procured and handed to the International
8 Prosecution Section.

9 "7. In my official capacity, I have examined
10 the twenty-six documents, particulars of which are
11 contained in the Schedule annexed hereto and marked
12 'Exhibit E', the said documents being now in the cus-
13 tody of the International Prosecution Section. The
14 said documents have been compiled by the Total War
15 Research Institute as material for research and train-
16 ing in the Institute, or are collections of the re-
17 sults of the work of the research students and were
18 obtained by General Headquarters of the Supreme Com-
19 mander for the Allied Powers from Japanese Govern-
20 ment Offices.

21 "8. IIMURA, Jo who formerly held the rank of
22 Lieutenant-General in the Japanese Army held the post
23 of Director of the Total War Research Institute from
24 January 1941 to October 1941. Prior to his holding
25 that post he was Chief of Staff of the Kwantung Army,

HORIBA

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1 and on ceasing to hold that post he was appointed
2 to command the Fifth Army in Manchuria and subse-
3 quently he was appointed Director of the Military
4 War College."

5 "/s/ Horiba Kazuwo"

6 "Sworn and subscribed to before the undersigned
7 Officer by the above named HORIBA, Kazuwo at War
8 Ministry Bldg., Tokyo, Japan, this 5th day of August
9 1946."

10 "/s/ Roland Schwartz, Capt. TC
11 Summary Courts Martial."

12 I will omit reading the certificate of the
13 translator. I will not read the exhibits, however, an
14 examination of them will reveal the following:

15 Exhibit AA is a list of the members of the
16 Institute and include high ranking navy and army
17 officers, the secretaries of some of the ministries
18 and members of the staff for preparation, such as the
19 South Manchurian Railway Company, Limited, Mitsui
20 Bussan Co., Ltd., Yokohama Specie Bank.

21 Exhibit BB is a list of student members of
22 the Institute, who have been selected from every
23 branch and department of the State's activities. In
24 addition, there are representatives from the military
25 staff college, banks and industrial corporations, the

1 and on ceasing to hold that post he was appointed
2 to command the Fifth Army in Manchuria and subse-
3 quently he was appointed Director of the Military
4 War College."

5 "/s/ Horiba Kazuwo"

6 "Sworn and subscribed to before the undersigned
7 Officer by the above named HORIBA, Kazuwo at War
8 Ministry Bldg., Tokyo, Japan, this 5th day of August
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13 translator. I will not read the exhibits, however, an
14 examination of them will reveal the following:

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16 Institute and include high ranking navy and army
17 officers, the secretaries of some of the ministries
18 and members of the staff for preparation, such as the
19 South Manchurian Railway Company, Limited, Mitsui
20 Bussan Co., Ltd., Yokohama Specie Bank.

21 Exhibit BB is a list of student members of
22 the Institute, who have been selected from every
23 branch and department of the State's activities. In
24 addition, there are representatives from the military
25 staff college, banks and industrial corporations, the

HORIBA

DIRECT

1 schools, the Manchukuo Government, the Chosen Govern-
2 ment, the Taiwan Government, and the North China Area
3 Army.

4 Exhibit CC is a list of the contents of
5 lectures at the Research Institute, as well as the
6 name and position of the lecturer and the subject of
7 the lecture. This exhibit shows that the lecturers
8 have been chosen from the various ministries, from the
9 universities, and leaders of industry and commerce.
10 A few of the subjects lectured upon were the funda-
11 mental principles of national, total warfare, the
12 mobilization of materials, food problems, steel, land
13 and marine transportation, finance, foreign policy,
14 state of affairs in China, the United States, Great
15 Britain, the Near East, Russia, Europe, military and
16 naval tactics, and mobilization of munitions.

17 Exhibit DD is a list of the subjects and
18 practice of education and training for the first term
19 students in 1941, and include such matters as basic
20 principle of national constitution, totalized war,
21 leadership, state of things in foreign countries,
22 history of totalized war, military warfare, political
23 warfare, economic warfare, finance, and thought war-
24 fare.

25 Exhibit E is a schedule of compilation of

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DIRECT

1 the Total War Research Institute. Most of the com-
2 pilations are marked either "top secret" or "confiden-
3 tial", and deal with a wide variety of subjects,
4 among which are special plans of export and import
5 under war conditions, top secret, 27 October 1941, plan
6 for replenishing technicians, skilled laborers and
7 general laborers, for expanding productive power, top
8 secret, 18 October 1941; the estimates of the domestic
9 and foreign situation in the early part of 1941 from
10 the total war viewpoint, marked "top secret;" plans
11 for direction of war time finance, marked "top secret,"
12 25 October 1941; draft of establishment of Greater
13 East Asia, first phase in the total war plan, marked
14 "top secret -- marked "military top secret" 18 February
15 1942; report of basic research of war time industry,
16 March 1943; study of total war pertaining to the
17 national strength of Imperial Japan and foreign powers,
18 marked "top secret," March 1944.

19
20 The defense may have the witness for cross-
21 examination.

22 THE PRESIDENT: We will adjourn until half
23 past one.

24 (Whereupon, at 1200, a recess was taken).
25

HORIBA

CROSS

AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Dr. KIYOSE.

K A Z U W O H O R I B A, called as a witness on behalf of the prosecution, resumed the stand and testified through Japanese interpreters as follows:

CROSS-EXAMINATION

BY DR. KIYOSE:

Q In your affidavit you have enumerated names of student members from the first to the third period. However, there is no mention of the fourth, existence of the fourth period. Does that mean that the course of the Institute was terminated, abolished, after the end of the third period?

A Yes, it was abolished after the third period.

Q Why was it abolished after the third period?

A The course of studies was abolished because there was not much to study, there were very little results being produced as a result of what studies were continued, and as the the war of Greater East

HORIBA

CROSS

1 Asia became more intensified and vicious, it became
2 difficult to select students suitable for this Insti-
3 tute; and as a result of these various developments
4 the Institute lost much of its recognition and, con-
5 sequently, the Institute was abolished.

6 Q Were there arguments to the effect that
7 if the war is going to be continued it would be even
8 more necessary to continue the study and train students?
9 Was there not such an opinion?

10 A There was no such opinion.

11 MR. ENGLISH: I object to these questions
12 as being without the scope of the affidavit.

13 THE PRESIDENT: The shorthand writer might
14 read to me the last question.

15 (Whereupon, the last question was
16 read by the official court reporter.)

17 THE PRESIDENT: Well, he is merely a witness
18 to give the names of certain persons and the title
19 of certain addresses. He is not an expert in any
20 capacity, as far as I understand. You may direct
21 questions to test his credit, but subject to that,
22 you are confined to showing that he is mistaken in
23 the information that he has given to the Court in his
24 affidavit. If the question objected to comes under
25 neither category, it is upheld. The objection is

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CROSS

1 upheld, I should say.

2 Q The witness gave the names of the student
3 members of the Institute. Now, I ask you, what was the
4 number of the students to be accommodated in this
5 Institute, and what kind of persons were selected to
6 be students of the Institute?

7 THE PRESIDENT: Before that question is
8 answered, there is a matter that I am asked to deal
9 with urgently, or, rather, the Tribunal is asked to
10 deal with urgently. It is for permission to Lieutenant
11 Colonel F. F. Tereshkin, who has given evidence before
12 this Court, to leave the jurisdiction and return to
13 Russia.

14 I understand the defense has no objection.
15 That being so, the witness may leave Japan on the
16 usual terms.

17 Dr. KIYOSE.

18 MR. ENGLISH: Your Honor, we object to that
19 question. We think that the information that he
20 requests is in the affidavit, especially in the exhi-
21 bits.

22 THE PRESIDENT: Well, we have not read the
23 whole of the affidavit; at least, I have not. We
24 were referred to parts only.

25 Do you say, Dr. KIYOSE, the information you

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CROSS

1 are seeking now is not in the affidavit?

2 DR. KIYOSE: No, I do not say so. In the
3 paragraph 3 of the affidavit, Appendix B is quoted --
4 in the third paragraph, there is mention of a list of
5 research student members covering the three periods.
6 However, I thought it would be helpful to know the
7 number of the students to be accommodated by the Insti-
8 tute at one time.

9 THE PRESIDENT: Well, if that does not appear
10 in the affidavit, let him answer.

11 A I recall that the number of students, the limit
12 given to the number of students, was about fifty. As
13 to the field from which these students were assembled,
14 they included the various government ministries,
15 various private and other organizations which recommended
16 students for the Institute.

17 Q Then, in the paragraph 7 of your affidavit,
18 there is a mention concerning a document marked
19 exhibit E and which is attached as an appendix. You
20 have given two kinds of documents. That is to say,
21 the witness mentions two documents. They are ones
22 compiled by the Total War Research Institute as
23 material for research and training in the Institute;
24 and the collections of the results of the work of the
25 Research Institute's students. However, if you look

HORIBA

CROSS

1 at exhibit E, the one which is numbered 1 -- that is,
2 1543 -- I find a document compiled by the Institute of
3 Economic Research of Japan and Manchuria; and it
4 appears to me that there are documents among the
5 twenty-six which do not come under either of the two
6 categories mentioned by you.

7 A I do not recall all the details, Mr. Counsel,
8 but generally the documents are made up of materials
9 or data within the Institute for Total War Research
10 and collections of studies made by students, and I
11 think most of the documents can be generally divided
12 into these two categories.

13 For instance, the document mentioned by you,
14 Mr. Counsel, that is, the research done by the Japan-
15 Manchukuo Financial Research Organization, I must say
16 that that is one of the data to be found among the
17 general data held by the Institute for Total War
18 Research; and documents of this kind have been repro-
19 duced in the Institute for use by the Institute.

20 THE PRESIDENT: The title of that document
21 appearing on the document is "Special Plan of Export
22 and Import under War Conditions."

23 DA. KIYOSE: That is right.

24 A (Continuing) Data such as that was gathered
25 at the time of the opening of the Institute. As there

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1 was no data as such belonging to the Institute at the
2 time of the opening, the members of the Institute picked
3 up whatever reference materials or data they could
4 find and assembled them at the Institute. Much of
5 ~~these~~ data were just merely printed or reproduced,
6 and after being processed in such a manner, I do not
7 think they were widely, closely read.

8 THE PRESIDENT: The document referred to
9 is a top secret document. Did the Institute have
10 access to top secret documents?

11 THE WITNESS: Yes, sir, it was possible for
12 members of the Institute to bring secret documents from
13 the particular government department to which this
14 particular member of the Institute was originally a
15 member.

16 Although the words "top secret" were imprinted
17 on some of these documents, the entire contents of
18 these documents were not necessarily top secrets.
19 For instance, figures relative to the mobilization of
20 materials was regarded as secret because the original
21 figures from which they were taken were considered to
22 be top secret data. Inasmuch as these so-called top
23 secret figures or statistics were included in some
24 of the materials, the entire material was stamped
25 "top secret".

HORIBA

CROSS

1 At the time, many of us laughed over many of
2 these so-called top secret documents, inasmuch as a
3 large number of the materials were gathered together
4 and compiled by students, and the stamp "top secret"
5 was imprinted on them because some of the students felt
6 quite embarrassed or ashamed if they were seen by
7 outsiders -- gathered together by students in haste
8 and, therefore, they thought it would be improper to
9 have them seen by outsiders.

10 THE PRESIDENT: I understood you to say
11 that these top secret documents were obtained from
12 the Japanese Government offices.

13 THE WITNESS: Yes, that was possible.

14 Q I should like to ask you, then, if those top
15 secret documents had been stamped as such within the
16 Institute, or they had borne those stamps before they
17 were taken into the Institute from various government
18 offices?

19 A I will reply to that question. As to the
20 nature of the documents, it is clear enough in the
21 affidavit that they were top secret documents within
22 the Institute itself, and not to be made available to
23 those who were outside of the Institute or to out-
24 siders in general, and not to be taken outside of the
25 Institute.

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CROSS

1 If one would read some of the work produced
2 by the student members of the Institute, one can
3 readily see that there was no single, basic thesis
4 to any of these materials, but that they were merely
5 patchwork done by various students. Although copies,
6 only about six copies could be produced, they were
7 done because members in various departments within
8 the Institute, or members of one department in the
9 Institute, would like to see what had been done by
10 members of another department. And it was for our
11 purposes of interchanging the information in that
12 manner that extra copies were printed in limited
13 quantity.

14 I recall quite exactly that inside of the
15 cover, mention of that point has been made in each
16 of the documents produced by the student members.
17 If you would see the inside of the cover, you would
18 understand.
19
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21
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HORIBA

CROSS

1 THE PRESIDENT: I notice the Prime
2 Minister was the head of that institution. Would
3 he be interested in the patchwork of students, in-
4 cluding Lieutenant-Generals and Vice Admirals?

5 THE WITNESS: Yes, the Prime Minister is
6 not interested at all. Although the government
7 official regulations governing the Institute mentioned
8 the Prime Minister as head of the Institute and there-
9 fore it is within the jurisdiction of the Prime
10 Minister, the Prime Minister himself, if he attends
11 the Institute at all, attends it only at the time
12 of the opening of the school and the graduation or
13 commencement exercises, and he gives no personal
14 direction or guidance of any kind to the Institute.
15 I was associated with the Institute for one year and
16 during that time hoped very much that the Prime
17 Minister would show a little more conscientious inter-
18 est in the Institute itself but, generally speaking,
19 by the nature of the Institute, it was more or less
20 left alone, left to itself. That is a fact. When the
21 Institute itself was opened up it did not know what
22 to do and therefore members who were assigned to the
23 Institute from various departments just got together
24 and started to do something in order to create some
25 appearance that it was doing something. That was the

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1 beginning. Of course, the regulations governing
2 the Institute mentions that the function of the
3 Institute was to carry on research and study and
4 also training and practice; and the work was to be
5 generally divided into these two categories, but the
6 members, official members of the Institute, were at
7 a loss what to do. Students gathered together and
8 there was a question about what to teach these students
9 and for that reason much of the effort that was
10 supposed to have gone into study and research was
11 neglected for this. And, furthermore, the members
12 of the Institute itself had no fixed views or opinions
13 or theories about what to do; and during this time
14 there was no orders, no direction, no advice from the
15 government.
16

17 THE PRESIDENT: It is incredible that the
18 witness--

19 Q There are twenty-six documents certified
20 by you, Mr. Witness --

21 THE PRESIDENT: It is incredible that this
22 witness should be talking about students who comprised
23 such persons as Lieutenant-Generals, Vice Admirals,
24 Secretaries of great departments; in fact, practically
25 the heads of all the government departments and naval
and military establishments in Japan.

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1 Q They are not student members but -- They are
2 not students but student members, aren't they?

3 A I did not understand what you said. Will
4 you repeat it?

5 THE PRESIDENT: Take the second period
6 students, judges of the Tokyo District Civil Court,
7 individuals from the different Ministries, individuals
8 from such Ministries as the Ministry of Greater East
9 Asia, the Home Ministry, the Ministry of Finance,
10 the Ministry of Commerce and Industry, the Ministry
11 of Ammunition, the Ministry of Welfare, of Communica-
12 tions. I think he has tested our credulity to the
13 utmost.

14 Q In the course of the direct examination,
15 Mr. Witness, you stated that you don't understand
16 English. Those names of officials translated into
17 English, were you aware that those were correct
18 translations into English of those names in Japanese?

19 A The interpreter assured me that the trans-
20 lation coincided with the original.

21 THE PRESIDENT: One of my colleagues would
22 like the following pertinent question answered: What
23 was the average age of the students?

24 THE WITNESS: I should think that the average
25 was around thirty-two or thirty-three.

HORIBA

CROSS

1 Q Those people, what position did those people
2 occupy in various ministries?

3 A Ordinarily junior secretaries in Government
4 Ministries and those of equal rank in private organiza-
5 tions.

6 THE PRESIDENT: District court judges.

7 A (Continuing) Although I am not quite sure
8 about various technical terms, I should think that
9 the average age of these judges were about the same
10 age, although I do not recall exactly.

11 DR. KIYOSE: Mr. President, I should like
12 to have your permission to ask a question, another
13 question. It is not a question that I am going to
14 ask but it is an explanation that I should like to
15 make to the Tribunal.
16

17 Mr. President, I should like to explain to
18 the Tribunal that it is customary in Japan that judges
19 are selected from among young people fresh from
20 schools and not selected from among elderly members--
21 men of great seniority -- as in other countries.

22 (Whereupon, the last statement
23 was read by the Japanese court reporter.)

24 DR. KIYOSE (Reinterpreted) I ask you,
25 Mr. President, are you aware of the fact that in our
country judges are not selected --

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1 THE MONITOR: May I interrupt, please?

2 DR. KIYOSE: (Reinterpretation continued)

3 Although I think that the question itself was not
4 quite proper for this witness, I should like to have
5 you, Mr. President, permit me to ask the witness this
6 question, namely, that in our country -- do you know
7 that in our country judges are not selected because
8 of their seniority as legalists as in other countries,
9 but by an examination of students in the law, fresh
10 from school.
11

12 THE PRESIDENT: Do you want to ask him that
13 question? Perhaps he knows, I do not know.

14 A Well, inasmuch as I have not been able to
15 investigate into every detail concerning the constitu-
16 tion or composition of the Institute, I do not know;
17 but, generally, the Institute was constituted of
18 members from various fields of research and endeavor,
19 from Government offices and private organizations.
20

21 Q I am afraid that my question is not under-
22 stood well by the witness yet. The only thing I wanted
23 to ask of the witness was whether there were elderly
24 people among the members of the Institute. In our
25 country, however, judges are selected from among
younger people. I shall withdraw that question and
put a more simple question.

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CROSS

1 Then, can you say now that in Japan the
2 courts -- judges of district courts are selected --
3 not selected from among senior lawyers?

4 A I do not know that.

5 MR. ENGLISH: Your Honor, we object to this
6 kind of questioning as being without the scope of the
7 affidavit.

8 THE PRESIDENT: The objection is too late,
9 Mr. English.

10 Q In any case I shall withdraw that question.
11 I was asking a question concerning the twenty-six
12 documents marked as exhibit E.

13 Among the twenty-six documents were there
14 any documents whose object was to make a survey and
15 investigation of the object of the National Total War--

16 THE INTERPRETER: I will repeat:

17 Q Mr. Witness, among the twenty-six documents
18 referred to in paragraph 7, is there any document on
19 the subject of -- which relates to a basic study of
20 total war in accordance with one of the primary pur-
21 poses of the Institute which is, as you say, basic
22 study and research in connection with national total
23 war?

24 A I do not think there is any such document.
25 Generally speaking, the Institute was so much taken

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1 up with training and practice that it was not able to
2 extend its efforts into study and research.

3 MR. ENGLISH: With reference to the last
4 question, if the Tribunal please, I refer you to
5 document No. 24.

6 THE WITNESS: What is document No. 24, sir?

7 MR. ENGLISH: A "Study of the System of
8 National Organization for the Total War of the Empire."

9 THE WITNESS: Then I shall explain that.

10 DR. KIYOSE: I shall ask as a question coming
11 from me the question that was pointed out by the pros-
12 ecutor a while ago. The prosecutor just pointed out,
13 document No. 24, namely, the Japanese text of the
14 "Study of the System of National Organization for the
15 Total War of the Empire," that this document purported
16 to be a basic study of national total war of Japan.

17 THE WITNESS: Is that document available?

18 As I recall, after the first basic maneuvers
19 were held in accordance with the aim of fostering co-
20 operative action and over-all -- the aim of which was
21 to foster cooperative action and effect (The Interpreter:
22 literally translated) over-all or synthetic mental
23 faculties to carry out these principles into the work
24 of various organizations and once had the occasion to
25 make public the opinion of the students of the Institute.

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1 Q Does that not refer to the minutes of the
2 meeting with reference to that matter?

3 A With respect to that I should think, while I
4 was at the Institute -- Is it not a carbon copy made
5 by one in charge of gathering together student opinion
6 on the subject?

7 Q I should like you to answer according to your
8 memory. That document is in the hands of the prosecu-
9 tion and not in the courtroom, not in this Tribunal;
10 is that so? Is that all you have to say to that ques-
11 tion?

12 A I cannot reply exactly in the absence of the
13 original document.

14 Q Do you recall that it was one of the objects
15 of the Institute to report the results of your studies
16 concerning basic study of the total war to the Govern-
17 ment or Cabinet?

18 A The Institute has never reported any contents
19 of such study, that is, the substance of such study to
20 the Cabinet or the Government.

21 Yes, reports were sent to the Government but
22 they were related to sort of a demand or order submitted
23 to the Government with respect to expenses, reporting
24 how many hours were spent on what kind of subjects, how
25 many hours were devoted to certain lectures, how many

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1 days were spent and how much was disbursed with re-
2 spect to maneuvers, how many days and how much money
3 was spent on field trips by the students, and so forth.

4 Q Then who was responsible for determining the
5 curriculum for the students' training and studies?

6 MR. ENGLISH: I object to that question,
7 your Honor, as being without the scope of the affidavit
8 also.

9 DR. KIYOSE: This question is related to
10 paragraph D and C of the affidavit.

11 THE PRESIDENT: The objection is overruled.
12 I think it is within the scope of the affidavit.
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1 Q Shall I repeat my question?

2 A You wish me to reply? All right.

3 Would you repeat the question again?

4 Q The question was: Who determined curriculum
5 for the lectures given to the students and subjects of
6 different maneuvers?

7 A That was determined within the Institute.
8 The last decision is given by the director of the In-
9 stitute.

10 Q Was any direction ever given -- direction
11 or recommendation -- rather suggestion -- ever given
12 to the Institute from the Government or the High Com-
13 mand concerning that curriculum?

14 A No, not at all. Rather, we were very much
15 at a loss -- we were, as a matter of fact, hoping
16 that there would be some kind of demand forthcoming
17 from the Government and elsewhere in order to give us
18 some direction to push on our studies. However, the
19 Institute was founded on the principle that policy and
20 education should not be mixed or to be confused and,
21 therefore, the Institute received no directions, no
22 orders, no suggestions from the Government or the
23 High Command.

24 Q Among the twenty-six documents there are
25 four, namely: documents 11, 13, 19 and 22, which

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1 deal with table discussions. Now, Mr. Witness, what
2 are -- what do you mean -- rather, what are these
3 table discussions?

4 A The aim of the so-called table-top discussions
5 were generally in accord with the education objective
6 of the Institute. It was believed by the Institute
7 that lectures alone were not sufficient in carrying
8 out the aims of the Institute, and for that reason, in
9 order to make more practical the training of the mental
10 faculties, mental efficiency as well as the efficiency
11 of cooperative action, and to develop over-all efficiency
12 in their studies, certain hypothetical conditions were
13 conceived and different branches of the studies --
14 members belonging to different branches of their
15 studies were permitted on the basis of those hypotheti-
16 cal conditions to work out their specific subject mat-
17 ter; and, therefore -- and then to cooperate with
18 other branches in order to carry into practice theories
19 with respect to cooperative action, and this was felt
20 to be necessary in making the lectures and the studies
21 in the Institute more practical. Those who participated
22 in these table-top studies or maneuvers would readily
23 understand how -- what kind of hypothetical conditions
24 were conceived for study purposes. These various
25 hypothetical conditions or hypothetical -- or work

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1 problems were selected by several members of the In-
2 stitute and given to the students to work out in all
3 their various ramifications. The aim of these table-
4 top maneuvers or studies were to be found in the fact
5 that given certain hypothetical conditions, the
6 students would, each of them, work out the problem
7 assigned to him; and after making a study, he would
8 announce this to a group meeting of students who were
9 connected with the maneuver or study itself, and there
10 exchange opinions and by repetition of these exercises,
11 it was possible to foster a consciousness of coopera-
12 tive effort and the bringing together of minds in order
13 to work out problems cooperatively.

14 Now, as to why such maneuvers were regarded
15 necessary, I must say that inasmuch as one of the
16 educational aims of the Institute was to promote
17 cooperative thinking and cooperative action, and
18 because the general tendency in the country was
19 divergence of opinions and conflicts between govern-
20 ment departments as well as between different private
21 and public organizations, that it was considered
22 highly necessary and essential that cooperative
23 thinking and cooperative action should be fostered
24 by the Institute for permeation outside as well, and,
25 therefore, studies were carried on with this idea in

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1 minā.

2 THE PRESIDENT: This is just so much word-
3 spinning. Obviously, every cooperative body has the
4 same ob, jts and the same procedure. But, does the
5 witness forget the title of this Institute? Is he
6 suggesting that it had nothing to do with total war,
7 and was just a system of adult education?

8 THE WITNESS: No, no aim of that kind at all.

9 DR. KIYOSE: I am going to reframe my question
10 in this way:

11 Q I should like to ask you, Mr. Witness, whether
12 the subject of those maneuvers were based on the as-
13 sumptions -- rather, were made in the light of pre-
14 vailing international situation or was based on hypo-
15 thetical conditions only, based in the light of pre-
16 vailing international and political situation?

17 THE PRESIDENT: He has told you repeatedly
18 they were all hypothetical.

19 DR. KIYOSE: I only wish to have the witness
20 answer to this question in a simple fashion, and that
21 would have helped us understand better.

22 THE MONITOR: I thought a simple question
23 would be able to get a precise answer from the witness.

24 THE PRESIDENT: How does he explain the title
25 of the Institute?

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1 THE WITNESS: Well, literally, a research
2 into the subject of total warfare, if literally
3 translated.

4 THE PRESIDENT: We will recess for fifteen
5 minutes.

6 (Whereupon, at 1443, a recess was
7 taken until 1500, after which the proceedings
8 were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Dr. KIYOSE.

4 BY DR. KIYOSE (Continued):

5 Q Mr. Witness, you have not answered yet to
6 the question put by Mr. President before the recess.
7 I should like to get your answer first to that ques-
8 tion.

9 A Unless there is some kind of a question, I
10 would be hard put to answer. Unless there is further
11 question, I am hard put to answer.

12 DR. KIYOSE: May I put my question, Mr.
13 President?

14 THE PRESIDENT: Repeat my last question.
15 I thought he answered it, as a matter of fact.

16 (Whereupon, the official court
17 reporter read as follows:)

18 "THE PRESIDENT: How does he explain the
19 title of the Institute?

20 "THE WITNESS: Well, literally, a research
21 into the subject of total warfare, if literally
22 translated."

23 THE PRESIDENT: Do you want any further
24 answer?

25 THE WITNESS: Then I shall make some further

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1 additions to my reply.

2 If -- literally translated, the title of the
3 Institute is self-evident that it is an organization
4 for study and research on the subject of total war,
5 as I have just stated previously.

6 THE PRESIDENT: That is the only answer and
7 all we require.

8 (Whereupon, the witness began to
9 speak in Japanese.)

10 THE PRESIDENT: We do not want to hear any
11 further.

12 BY DR. KIYOSE (Continued):

13 Q I was asking about the table-top maneuvers.
14 Were the answers given by the students in the
15 study -- in the course of those table-top maneuvers --
16 did those answers contribute to the actual adminis-
17 tration of the government, if any?

18 A Not at all; no effect.

19 Q Then, the answers given by the students
20 were just filed and kept as such in the Institute
21 as a record?

22 THE PRESIDENT: It is hopeless to suggest
23 to this Tribunal that this was merely a cultural
24 body. We are warranted in being frank about that.

25 THE WITNESS: Shall I reply to that question?

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THE PRESIDENT: You may.

1 A Yes. These various studies or answers were
2 kept on file as records. But, even the value of
3 these are questionable; they are hardly valuable to
4 keep on file.
5

6 If I should explain that a little further,
7 I mean to say this: that inasmuch as these table-top
8 maneuvers were exercises for students from time to
9 time, the contents or the results of such studies
10 had little value in themselves. The point to be
11 stressed is that it was the training in cooperative
12 thinking and cooperative consciousness which were ob-
13 tained as a result of these exercises. This is the
14 point that needs to be stressed.

15 If I should explain that even still further,
16 whatever the table-top maneuvers, the lectures were
17 given at each of these separate maneuvers. Now, for
18 instance, if a finger -- the index finger is pointed
19 at the moon, and the moon is recognized, the index
20 finger may be withdrawn; and these studies served as
21 fingers.
22

23 THE PRESIDENT: Why was preparation for
24 total war selected for these mental exercises?

25 THE WITNESS: Just what do you mean, sir?

 THE PRESIDENT: I am referring to the title

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1 of the Institute, an Institute for the preparation
2 of total war, or something to that effect. "An
3 Institute for the Basic Study and Research in Con-
4 nection with National Total War."

5 THE WITNESS: I do not know at the time the
6 Institute was established. However, in my under-
7 standing, it was deemed at that time that the char-
8 acter of modern war meant total war. In other words,
9 the entire nation, the whole people, must contribute
10 of its effort in the waging of war. Every country --
11 every country was required to make a study of this
12 in the light of new developments, and every country
13 were, as a matter of fact, making a study of total
14 war; and it was realized in Japan that Japan, too,
15 must make a study of this subject. In total war
16 there are two aspects: One is to prevent war, and
17 the other is to make preparations -- to cope with the
18 total war when it breaks out.

19 THE PRESIDENT: Did you have any lectures on
20 the prevention of war?

21 THE WITNESS: Quite a number, sir. Yes.

22 THE PRESIDENT: Are they included in the
23 affidavit? I do not see any.

24 THE WITNESS: Well, I was only asked by the
25 International Prosecution Section to inspect and

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1 certify just a part of the documents of the Insti-
2 tute. As I understand, the International Prosecu-
3 tion Section has obtained most of the documents from
4 the Cabinet files, and most of the documents referred
5 to various figures and data for future study in the
6 Institute. And many of the data were reference to
7 the -- many of the lectures given in the Institute
8 are many times more than documents which are now
9 available, the others having been destroyed or lost.
10 And the studies were pushed forward generally under
11 four headings: that is, measures to be taken in the
12 field of ideology or thought, political measures,
13 economic measures, and armed measures.
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1 THE PRESIDENT: Did you say that some of
2 these documents were obtained from the Cabinet
3 files?

4 THE WITNESS: Yes, I am referring to those
5 which were in the files of the Cabinet.

6 THE PRESIDENT: How did they get there? I
7 thought they were filed in the Institute as being
8 useless.

9 THE WITNESS: The Institute was abolished
10 after three years and some of the papers after that
11 were put in the store house of the Cabinet. As I
12 understand, the Cabinet was asked to keep these
13 papers, not knowing what they were, and they kept
14 them in their warehouses because the Cabinet was ask-
15 ed to keep them, and later on it was obtained by the
16 International Prosecution Section. When the Cabinet
17 was asked by the prosecution to produce the, they
18 simply did so.

19 THE PRESIDENT: Is the Cabinet the repository
20 of useless files?

21 THE WITNESS: Not so. Inasmuch as the
22 Institute was established, I presume that at that
23 time there was some discussion as to whether to get
24 rid of all the papers or to keep them in some form.
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1 as spectators or visitors; not attended, but many
2 of these outsiders who were connected with the schools
3 or organizations which were represented in the Insti-
4 tute by student members desired to attend these
5 discussions or maneuvers.

6 Q Among the students there were not only
7 members of the government, various ministries of
8 the government, but also members of banks and news-
9 papers and news agencies. Were they also allowed --
10 people from those institutions, were they also allowed
11 to witness -- to visit and see the classes of the
12 institute?

13 A Yes, they all desired to attend these
14 meetings.

15 Q Were those visitors invited by the Institute,
16 or did those visitors ask to visit the Institute?
17 Did the Institute itself hope that these outsiders
18 would attend, or did the various government depart-
19 ments request that these outsiders be permitted to
20 attend?

21 MR. ENGLISH: We object to this line of
22 question, Your Honor.

23 THE PRESIDENT: On what ground?

24 MR. ENGLISH: He asked the witness whether
25 or not the Institute hoped that certain visitors

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1 I think that would be self-evident if you would see
2 the documents. As a matter of fact, I got a little
3 more acquainted with these documents by being asked
4 to examine them a short time ago. A part of the
5 documents were a result of students' studies which
6 were reproduced. Another part consisted of those
7 which were reproduced to show to other students, and
8 just a few extra copies which were reproduced to give
9 to members of the Institute who were not connected with
10 the study, and other students -- students who were
11 not connected with the study, and to members of the
12 Institute for reference purpose. Also another part
13 consisted of notebooks of members of the Institute.
14 BY DR. KIYOSE: (Continued)

15 Q Were these maneuvers conducted in secrecy--or
16 were they accessible to visitors or spectators with-
17 in the ministry or the department? Correction,
18 please: In the presence of outside visitors or
19 spectators?

20 A Like other lectures given at the Institute,
21 these table-top discussions or maneuvers were semi-
22 public in nature and people from schools and organiza-
23 tions which were represented by student members of
24 the Institute were permitted to look on or listen into
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1 as spectators or visitors; not attended, but many
2 of these outsiders who were connected with the schools
3 or organizations which were represented in the Insti-
4 tute by student members desired to attend these
5 discussions or maneuvers.

6 Q Among the students there were not only
7 members of the government, various ministries of
8 the government, but also members of banks and news-
9 papers and news agencies. Were they also allowed --
10 people from those institutions, were they also allowed
11 to witness -- to visit and see the classes of the
12 institute?

13 A Yes, they all desired to attend these
14 meetings.

15 Q Were those visitors invited by the Institute,
16 or did those visitors ask to visit the Institute?
17 Did the Institute itself hope that these outsiders
18 would attend, or did the various government depart-
19 ments request that these outsiders be permitted to
20 attend?

21 MR. ENGLISH: We object to this line of
22 question, Your Honor.

23 THE PRESIDENT: On what ground?

24 MR. ENGLISH: He asked the witness whether
25 or not the Institute hoped that certain visitors

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1 would attend.

2 THE PRESIDENT: I think he can tell us
3 what were the operations of the Institute, and that
4 question would be directed to that.

5 A As far as the Institute was concerned, it
6 was hoped and desired that others would come and
7 visit.

8 THE PRESIDENT: The cross-examination,
9 nevertheless, is not helpful. It is about matters
10 that are not material. I can not say they are wholly
11 irrelevant, but they are not material. Any Insti-
12 tute would act in that way, if its purpose was to
13 mobilize the intellectual resources of Japan, as
14 this appears to be.

15 DR. KIYOSE: Then I shall put a different
16 question.

17 BY DR. KIYOSE: (Continued)

18 Q In paragraph 8 of your affidavit there is
19 a mention of Lieutenant-General IIMURA, who was the
20 first President -- Director of this Institute. Then
21 this person, after having left the Institute, assumed
22 another position. Was it because of the fact that he
23 had made studies of total war -- concerning total
24 war -- at the Institute, that he obtained that other
25 position?

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1 A In my estimation there was no effect what-
2 soever. This could be applied to various members of
3 the Institute and research members of the Institute,
4 and I might explain it this way: That members of
5 the Institute who came from the War Office or branches
6 of the army would be transferred to other positions
7 in accordance with the personnel conveniences or
8 policy of that particular branch and members who came
9 from the department of the Ministry of Agriculture
10 and Forestry would be shifted in accordance with the
11 wishes of the personnel section of that Ministry.

12 THE PRESIDENT: We do not want to know all
13 the details. They will not help us at all.
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1 Q Well, then, now, I am not speaking of the
2 members of the Institute, but I am speaking of the
3 students of the Institute. Were those students em-
4 ployed somewhere else because of the fact that they
5 had completed their studies at the Institute? Was
6 that what the Institute was organized for?

7 A No, there was no such organization or system.
8 All the students were shifted or moved about in accord-
9 ance with the wishes of the personnel department of
10 whatever government department they came from, de-
11 pending on the vacancies in such department. That
12 was the general state.

13 Q Lastly, I should like to ask you, Mr. Witness,
14 whether there were councillors attached or inside of
15 the Institute besides the student members, as members
16 of the Institute, Total War Research Institute, as
17 mentioned in your list presented as an exhibit?

18 THE MONITOR: In addition to the list of
19 members, that is, the list of ordinary members of the
20 Institute which you have presented in your affidavit,
21 were there councillors attached to the Institute?

22 THE INTERPRETER: Were there any councillors
23 attached to the Institute which you have not men-
24 tioned in your affidavit?

25 A Yes, I do recall that there were councillors

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1 in the Institute. However, they were not members of
2 the staff of the Institute, but they were only nom-
3 inally attached to the Institute, because the purpose
4 for designating councillors to the Institute was that
5 when the Institute was established it was essential
6 that the Institute get as wide a support as possible,
7 and therefore those representative of various fields
8 of endeavor were requested to serve as councillors, al-
9 though they did not contribute substantially to the work
10 of the Institute.

11 THE PRESIDENT: Does the witness appreciate
12 that his evidence is in contradiction to the Imperial
13 Ordinance under which the Institute was established?
14 Article 7 of that Ordinance provides that councillors
15 shall be installed in the Total War Research Institute
16 and shall participate in its duties.

17 THE WITNESS: I do not recall what is in the
18 government regulations governing the Institute, but
19 with respect to the councillors it is just as I have
20 already explained.

21 Q Did those councillors ever actually come to
22 the Institute? I will put it in a concrete way.

23 A It isn't in my recollection just who were
24 the councillors of the Institute.

25 Q Well, then, I will ask you -- put my question

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1 in this way: Do you know if HOSHINO, SUZUKI and KIMURA
2 were among the councillors of the Institute?

3 A I have heard that Mr. HOSHINO was a member
4 of the committee for the establishment of the Institute
5 or acting director at the time of its establishment.
6 My memory, however, is not clear whether all of these
7 persons were at any time councillors of the Institute,
8 were councillors at that time. Two or three days ago
9 I saw in the newspaper various names mentioned in
10 connection with this Institute, members of vice-ministerial
11 rank of the various ministries, if my recollection is
12 not mistaken, were asked to serve as councillors of the
13 Institute. However, I must see the list of members
14 before I can say anything definitely. With respect to
15 these three accused persons, I have never met or talked
16 with them in the Institute. The position of councillors
17 was, as I have said before, they were just nominal
18 posts without any particular substance.

19 Q They were, nevertheless, officials of the In-
20 stitute in spite of the fact that they didn't actually
21 come to the Institute. Even if they didn't attend
22 the school of the Institute at the time you were
23 there, did the Institute itself go to these various
24 persons to secure or obtain their opinions on various
25 questions?

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1 A No, only Mr. HOSHINO was then chief secretary
2 of the Cabinet and therefore the competent member of
3 the Institute, approached his department in con-
4 nection with the expenses of the Institute. However,
5 as to the education and educational contents of the
6 Institute itself, it had no connection whatsoever.

7 Q Did those persons ever give lectures in the
8 Institute?

9 A I don't remember, inasmuch as various speakers
10 were invited to the Institute to speak on various and
11 sundry subjects, I don't know whether these men were
12 among the lecturers unless I see a list of the lec-
13 tures given, unless I see the records of those lectures.

14 Q Mr. Witness, you have been a government
15 official for twenty-five years. Do you know whether in
16 our country councillors and advisers, so to speak,
17 have always been just nominal existences?

18 A Although there are exceptions, generally
19 speaking it is in my way of thinking councillors and
20 advisers have been in most cases merely figureheads
21 or decorations, or nominal existences, which just
22 merely gave some form to an organization.

23 DR. KIYOSE: That is all.

24 THE PRESIDENT: It is so easy to say, but it
25 may be true. Captain Brooks.

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CROSS-EXAMINATION (Continued)

1
2 BY MR. BROOKS:

3 Q Mr. Witness, on exhibit 868-A there is named
4 the head of this Institute a person of Chokunin rank.
5 There is also set out a staff of eleven persons, five
6 assistants and three clerks. Do you know of your own
7 knowledge, or is there outlined anywhere in the ex-
8 hibits attached to your affidavit any member of the
9 accused that was or has ever been one of those per-
10 sons designated as the head of the Institute, staff,
11 assistant, or clerk?

12 A No.

13 Q Now, the Total War Research Institute was
14 not only the name of this organization, but total war
15 research was the subject, is that correct?

16 A Yes, that was the general subject of study
17 or research.

18 Q And the purpose of this Institute and the
19 purpose of this study was for training in the problems
20 of various departments represented therein by students,
21 was it not?

22 THE PRESIDENT: Captain Brooks, I don't think
23 there will be any context about the matters to which
24 you are referring.
25

MR. BROOKS: These are preliminary.

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1 THE PRESIDENT: The point that this witness
2 cannot elucidate is this, whether this Institute was
3 formed in contemplation of war or simply because war
4 was just conceivable. The whole question is what was
5 the state of mind of those who brought the Institute
6 into existence. They based it on an Imperial Ordinance
7 and gave it the best brains and the highest placed
8 persons in the land and war followed within a matter
9 of months or years, a short year.

10 MR. BROOKS: If the Tribunal please, the
11 direction that I am going is in answer to why it was
12 put up and whether it was used, and also --

13 THE PRESIDENT: What help can this man give
14 us beyond what he has revealed in the documents which
15 he has placed before us in his affidavit and some
16 details as to the modus operandi of the Institute?

17 MR. BROOKS: In the first place, in answer to
18 that, your Honor, in the first place, there has not
19 been any showing, and it is just as logical to con-
20 clude from the evidence before this Court that this
21 subject chosen was broad, a broad subject, and it was
22 chosen because of the nature it would cause problems
23 to rise that would be familiar to all the students
24 before it that would be useful; that would be useful
25 in training the students of the calibre represented in

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1 this Institute in problems that could be raised in no
2 other way, and that the training thus received would
3 be just as useful, if not more so, in peace time as
4 in time of emergency. The subject matter placed in
5 this affidavit and the exhibit attached show that it
6 was a list of students engaged in research for training
7 problems in their correlated fields, that it was an
8 open forum for the discussion of general problems
9 for training.

10 THE PRESIDENT: Well, if that is going to be
11 the line of your cross-examination we have it already.

12 MR. BROOKS: And further that the reports as
13 placed in Exhibit E are not before evidence in this
14 Court, so that there is not a complete and fair
15 picture for the Court to ascertain if any of this stuff
16 was ever used or whether the majority was for war. I
17 would like to ask one or two questions of the witness.

18 THE PRESIDENT: Well, you may do so, but I
19 want to avoid a waste of time; I want to avoid any
20 false assumptions as to who this witness is and what
21 he can say.

22 BY MR. BROOKS: (Continued)

23 Q Mr. Witness, after this organization, this
24 Institute, was dissolved and the records were placed
25 in the warehouse, were they ever used in this war as

1 reference matter, to your knowledge?

2 MR. ENGLISH: Your Honor, we object to that
3 question.

4 THE PRESIDENT: He couldn't know unless he was
5 familiar with the work of all the departments.

6 MR. BROOKS: He is a prosecution witness. I
7 am not afraid of the answer.

8 MR. ENGLISH: But he wasn't called for that
9 purpose, Mr. President.

10 MR. BROOKS: May he answer, if he knows, your
11 Honor?

12 THE PRESIDENT: The objection is allowed. He
13 is not qualified to answer that. He has told us that
14 these papers remained with the Institute until it was
15 dissolved; they then went to the Cabinet storeroom.
16 What happened to them there he wouldn't know. He might
17 know of his own personal knowledge that some of them were
18 used, but he couldn't say that none of them were used.

19 It is now four o'clock. We will adjourn until
20 half past nine tomorrow morning.

21 (Whereupon, at 1600, an adjournment
22 was taken until Wednesday, 30 October 1946 at
23 0930.)
24

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